

# Journal of the House

NINETY-SIXTH GENERAL ASSEMBLY  
of the  
STATE OF MISSOURI  
FIRST EXTRAORDINARY SESSION

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FIRST DAY, Tuesday, September 6, 2011

Representative Flanigan in the Chair.

Prayer by Msgr. Robert A. Kurwicki, Chaplain.

*There is one God and Father of all, who is above all, and through all and in all. (Ephesians 4:6)*

Almighty God, our Heavenly Creator, we pause in the midst of pressing duties and commanding needs to open our hearts in prayer unto You - Who is the source of goodness and love and truth - that the light of Your spirit may shine upon our pathway and illumine the way to righteousness, to justice and to peace.

Keep our hearts clean, our spirits courageous, and our minds clear as we face the tasks of this day. Lead us and all people to that realm where goodwill shall reign and truth shall rule and freedom shall regulate the actions of humanity.

Before this altar of prayer we dedicate ourselves anew to You and we pledge our loyalty to our state and to the well-being of our citizens.

And the House says, "Amen!"

The Pledge of Allegiance to the flag was recited.

## MESSAGE FROM THE GOVERNOR

The following Proclamation was received from His Excellency, Governor Jeremiah W. (Jay) Nixon.

### PROCLAMATION

WHEREAS, prudently designed economic development programs accelerate Missouri's economic growth through the creation of a vibrant business climate that attracts new employers to Missouri and encourages existing businesses to expand; and

WHEREAS, the Missouri Science and Innovation Reinvestment Act, Compete Missouri Initiative, data storage centers, recruitment of significant amateur sporting events and the creation of an international export hub to facilitate the expansion of Missouri exports are critical programs that capture Missouri's bold vision and competitive spirit and will spur economic expansion in all corners of this state; and

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WHEREAS, economic development programs must include transparency, accountability and return on investment and be implemented in a fiscally prudent manner; and

WHEREAS, economic incentives and tax credit programs must be regularly reviewed to ensure those programs are effective in addressing their purpose and provide appropriate return on investment; and

WHEREAS, implementation of tax credit reform will inject accountability, transparency and result in taxpayer funds being spent in a fiscally effective manner; and

WHEREAS, legislation to modernize Department of Revenue collection measures and a period of tax amnesty will benefit citizens of the State of Missouri and have a positive impact on general revenue; and

WHEREAS, Conference Committee Substitute for House Committee Substitute for Senate Bill No. 282, passed during the First Regular Session of the Ninety-Sixth General Assembly, would have moved Missouri's Presidential Primary to March, 2012; and

WHEREAS, Conference Committee Substitute for House Committee Substitute for Senate Bill No. 282 was vetoed due to the inclusion of objectionable provisions unrelated to the moving of the date for the Presidential Primary; and

WHEREAS, a March, 2012 Presidential Primary will allow Missouri to remain a crucial state during the presidential nomination process; and

WHEREAS, the First Regular Session of the Ninety-Sixth General Assembly considered but failed to pass legislation that would have transferred supervision and control over the St. Louis Metropolitan Police Department to the City of St. Louis; and

WHEREAS, Article IV, Section 9 of the Missouri Constitution authorizes the Governor on extraordinary occasions to convene the General Assembly by proclamation, wherein he shall state specifically each matter on which action is deemed necessary; and

WHEREAS, the need for economic development legislation, tax credit reform, tax amnesty legislation, enhancement of Department of Revenue collection measures, moving the date of the 2012 Presidential Primary and transitioning the St. Louis Metropolitan Police Department to local control are extraordinary occasions as envisioned by Article IV, Section 9 of the Missouri Constitution.

NOW THEREFORE, on the extraordinary occasions that exist in the state of Missouri:

I, JEREMIAH W. (JAY) NIXON, GOVERNOR OF THE STATE OF MISSOURI, pursuant to the authority vested in me as Governor by the Constitution of the State of Missouri, do, by this Proclamation, convene the Ninety-Sixth General Assembly of the State of Missouri in the First Extra Session of the First Regular Session; and

I HEREBY call upon the Senators and Representatives of said General Assembly to meet in the State Capitol in the City of Jefferson at the hour of 12:00 p.m., Central Daylight Time, on September 6, 2011; and

I HEREBY state that the action of said General Assembly is deemed necessary concerning each matter specifically designated and limited hereinafter as follows:

- To enact legislation implementing comprehensive reforms to existing tax credit programs that produces substantial savings to the state treasury through the elimination of programs, imposition or lowering of caps, establishment of program sunsets and other reforms that create efficiencies and safeguard the taxpayers' money. This matter is restricted and nothing in this Proclamation should be construed to authorize the enactment of legislation amending the five year limitation on interest costs eligible for issuance of tax credits under section 99.1205.3, RSMo.

- To enact legislation that incentivizes the development of an international air cargo hub at Lambert-St. Louis International Airport through creation of an air export tax credit for freight forwarders not to exceed a total of sixty million dollars over eight years and a real estate development tax credit not to exceed a total of three hundred million dollars over sixteen years for eligible facilities located in "gateway zones," the qualification for which will be confirmed and verified by the Department of Economic Development, and additional accountability, oversight and participation protections.
- To enact the Missouri Science and Innovation Reinvestment Act authorizing the Missouri Technology Corporation to provide grants, loans and investments in science and innovation businesses through use of funding generated by capturing a portion of any new growth in income tax revenue generated by employees working at such new and existing science and innovation businesses in Missouri.
- To enact the Compete Missouri Initiative which streamlines and updates Missouri's training programs to reflect business and workforce needs; consolidates Missouri's business development incentives into a single program with consistent definitions and processes; provides performance-based benefits with broader accessibility for small businesses and businesses in rural areas; provides additional benefits for targeted industries identified by business leaders in Missouri's Strategic Initiative for Economic Growth; provides business retention incentives for companies retaining more than 125 jobs annually; and authorizes establishment of a closing fund for competitive recruitment and retention projects.
- To enact legislation creating incentives for the construction and development of high-tech data centers that allows a high-tech data center making a minimum capital investment of thirty-seven million dollars and creating at least thirty new jobs to be exempt from certain state and local sales taxes on utilities, machinery and equipment used in the operation of the data center and on personal property and materials used in the construction of the data center, with the overall amount of the exemption limited to the positive fiscal impact to taxpayers resulting from the project.
- To enact legislation authorizing tax credits available for sports commissions, convention and visitors bureaus, certain nonprofit organizations, counties, and municipalities to offset expenses incurred in attracting amateur sporting events to the state in an amount not to exceed three million dollars annually; and to authorize a revenue-neutral contribution tax credit for donations to local sports organizations for the purposes of attracting amateur sporting events to the state in an amount not to exceed ten million dollars annually.
- To enact legislation creating administrative efficiencies and improving the Department of Revenue's ability to collect moneys owed to the State by authorizing the Department of Revenue to: 1) collect, upon referral, debts owed to other state agencies; 2) reduce its expenses associated with providing required notices; 3) recover its collection and administrative costs by retaining one percent of the amount of any local sales or use tax collected by the Department; 4) enter into a reciprocal collection and offset of indebtedness agreement with the federal government; 5) issue orders directly to debtors' employers or other sources of income to facilitate the execution of administrative judgments; and 6) issue statements indicating that no taxes or fees, for which the Department is responsible for collecting, are due, as a prerequisite for payment of certain claims or judgments from the state legal expense fund.
- To enact legislation authorizing the Department of Revenue to grant amnesty to taxpayers from the assessment or payment of penalties, additions to tax, and interest with respect to unpaid income tax and sales tax due and owing that the taxpayer voluntarily reports and pays in full between August 1, 2012 and September 30, 2012.
- To enact legislation authorizing an orderly transition in the governance of the St. Louis Metropolitan Police Department from a board of police commissioners to the City of St. Louis through a process that provides for equitable employment treatment for commissioned and civilian personnel.
- To enact legislation moving Missouri's Presidential Primary to the first Tuesday after the first Monday in March of each presidential election year.

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- To allow the Senate to consider appointments to boards, commissions, departments, and divisions that require advice and consent of the Senate.

Such additional and other matters as may be recommended by the Governor by special message to the General Assembly after it shall have been convened.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri, in the City of Jefferson, on this 22nd day of August, 2011.

/s/ Jeremiah W. (Jay) Nixon  
Governor

ATTEST:

/s/ Robin Carnahan  
Secretary of State

### **INTRODUCTION OF HOUSE BILL - APPROPRIATIONS**

The following House Bill was read the first time and copies ordered printed:

**HB 6**, introduced by Representative Silvey, to appropriate money for the purpose of matching Federal Emergency Management Agency expenditures due to natural disasters in the state of Missouri in 2011 for the period ending June 30, 2012.

### **INTRODUCTION OF HOUSE BILLS**

The following House Bills were read the first time and copies ordered printed:

**HB 1**, introduced by Representatives Nasheed and Tilley, relating to the St. Louis police force.

**HB 2**, introduced by Representatives Flanigan, Allen and Kelly (24), relating to collection of state money.

**HB 3**, introduced by Representative Dugger, relating to the presidential primary election.

**HB 4**, introduced by Representative Tilley, relating to collection of state money.

**HB 5**, introduced by Representatives White, Davis, Crawford, Flanigan, Schoeller, Lant and Wieland, relating to property tax assessment reduction due to natural disasters.

**HB 7**, introduced by Representative Silvey, relating to a joint committee on disaster funding.

The following members' presence was noted: Asbury, Barnes, Berry, Brown (116), Davis, Day, Dugger, Fisher, Grisamore, Higdon, Hubbard, Kelly (24), Korman, Kratky, Lair, Lant, Lasater, Lauer, Leach, Loehner, Montecillo, Nasheed, Rizzo, Scharnhorst, Schieffer, Silvey, Taylor, White and Wieland.

## **ADJOURNMENT**

On motion of Representative Flanigan, the House adjourned until 10:00 a.m., Wednesday, September 7, 2011.

## **COMMITTEE MEETINGS**

### **APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES**

Tuesday, September 13, 2011, 9:00 AM House Hearing Room 1.

Discussion of the local soil and water districting, as well as Department of Natural Resources' role in oversight.

### **APPROPRIATIONS - HEALTH, MENTAL HEALTH, AND SOCIAL SERVICES**

Thursday, September 8, 2011, 2:00 PM House Hearing Room 7.

Departmental updates.

### **FISCAL REVIEW**

Friday, September 9, 2011, South Gallery upon morning recess.

Executive session may be held on any matter referred to the committee.

All bills assigned to the committee.

CORRECTED

### **INTERIM COMMITTEE ON DISASTER RECOVERY**

Tuesday, September 13, 2011, 2:00 PM House Hearing Room 1.

To hear from our state departments and the public.

### **INTERIM COMMITTEE ON STRENGTHENING MISSOURI FAMILIES**

Thursday, September 8, 2011, 2:00 PM House Hearing Room 3.

Discussion of Syncare.

### **JOINT COMMITTEE ON EDUCATION**

Wednesday, September 14, 2011, 8:30 AM House Hearing Room 1.

Agenda: Higher Education performance measures report (MDHE), K-12 funding formula impact assessment, and summary follow-up from August 19 hearing in Kansas City.

### **JOINT COMMITTEE ON LEGISLATIVE RESEARCH**

Wednesday, September 14, 2011, 9:00 AM House Hearing Room 6.

Executive session may be held on any matter referred to the committee.

Quarterly business meeting.

Some portions of the meeting may be closed pursuant to Section 610.021.

### **JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT**

Wednesday, September 14, 2011, 9:30 AM House Hearing Room 4.

Executive session may be held on any matter referred to the committee.

Third quarter meeting.

**JOINT COMMITTEE ON URBAN AGRICULTURE**

Tuesday, September 13, 2011, 5:30 PM,

University of Missouri Student Union Center: Chamber Auditorium,  
on the corner of Rollins and Hitt, Columbia, Missouri.

Executive session may be held on any matter referred to the committee.  
Informational meeting.

**RULES - RULES PURSUANT TO RULE 25(32)(F)**

Thursday, September 8, 2011, 4:00 PM House Hearing Room 6.

Executive session may be held on any or all bills referred to this committee.

**HOUSE CALENDAR**

SECOND DAY, WEDNESDAY, SEPTEMBER 7, 2011

**HOUSE BILLS FOR SECOND READING - APPROPRIATIONS**

HB 6

**HOUSE BILLS FOR SECOND READING**

1      HB 1 through HB 5

2      HB 7